



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX: (617) 349-4269

DONNA P. LOPEZ
CITY CLERK

PAULA M. CRANE
DEPUTY CITY CLERK

November 9, 2015

TO: THE HONORABLE, THE CITY COUNCIL

FROM: DONNA P. LOPEZ, CITY CLERK 

SUBJECT: SUPPLEMENTAL COMMUNICATIONS AND REPORTS FROM CITY OFFICIALS # 3 and #4.

Attached you will find additional information that was received after the 3 PM Thursday deadline relating to the Subpoena Duces Tecum issued by the City Council on October 30, 2015 pursuant to Policy Order #27 adopted by the City Council on October 19, 2015 as follows:

3 Fax response received on November 6, 2015 from Sara Giardina, Counsel, Litigation, Lyft, 2300 Harrison Street, San Francisco, CA alleging that Lyft is unable to respond to the request for information without a valid subpoena.

4 Communication from Dennis Stefanitsis informing the City Council that while the subpoena was addressed to Uber Technologies, Inc., the proper entity is Rasier, LLC, which is the Uber subsidiary that operates the rideshare in the Cambridge areas. Raiser's insurance policy is attached.

FAX**Date:** 11/06/2015**Pages including cover sheet:**

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To:	+16173494134
Phone	
Fax Number	+16173494134

From:	Amrita Ajmani
	Lyft
	2300 Harrison Street
	San Francisco
	CA 94110
Phone	(415) 233-8319 * 7853
Fax Number	(415) 233-8319

NOTE:

Re: Subpoena Response - CAMBRIDGE CITY COUNCIL



2300 Harrison Street
San Francisco, CA 94110

November 6, 2015

City of Cambridge
Office of the City Solicitor
795 Massachusetts Ave.
Cambridge, MA 02139

VIA FACSIMILE & U.S. MAIL

Re: Cambridge City Council Subpoena

Dear Ms. Glowa,

We are in receipt of the subpoena propounded upon Lyft by the Cambridge City Council on October 30th.

Lyft is unable to respond to requests for information without a valid subpoena. This subpoena was served pursuant to Massachusetts General Laws Chapter 223, Section 8, (the "Code") which only allows a City Council to require a witness to produce books and papers "as to matters within [City Council's] authority." In this instance, Lyft's insurance policies are not a matter within City Council's authority. Lyft is not currently regulated by the City, nor is it aware of any temporary permit or permanent regulatory authority from the City. Lyft is also not aware of any pending lawsuit involving the City where Lyft is a named party. Because neither Lyft nor its insurance policies are regulated by the city, the cited Code section allowing for City issued subpoenas as to "matters within its authority" does not apply here.

Further, information regarding Lyft's insurance policies are confidential and proprietary. Lyft's insurance policies contain confidential and proprietary commercial and financial information because any competitor of Lyft who gained access to Lyft's insurance policies would gain a competitive advantage over Lyft, allowing the competitor to acquire the same or similar policy without incurring the significant effort and expense of developing such a policy on its own. Lyft developed its first-of-its-kind policy over a period of many months, involving numerous discussions and complex actuarial analyses of data concerning Lyft's actual operational experience. Furthermore, because the terms and premiums for the policy were developed and may be adjusted based upon Lyft's actual operating experience, access to the policies could potentially provide the competitor with information concerning Lyft's operations, the size of its user base, and its cost structure, which



2300 Harrison Street
San Francisco, CA 94110

would otherwise be held within the company and not disclosed publicly or to competitors.

If you have any questions, please do not hesitate to contact me at sgiardina@lyft.com.

Best regards,

/s/ Sara Giardina

Sara Giardina
Counsel, Litigation

Nancy E. Glowa
City Solicitor

Arthur J. Goldberg
Deputy City Solicitor

Vali Buland
First Assistant City Solicitor



CITY OF CAMBRIDGE
OFFICE OF THE CITY SOLICITOR
795 Massachusetts Avenue
Cambridge, Massachusetts
02139

Assistant City Solicitors

Paul S. Kawai
Samuel A. Aylesworth
Keplin K. U. Allwaters
Anne Stermann
Sean M. McKendry

October 30, 2015

Keeper of Records
Lyft, Inc.
c/o Incorporating Services, Ltd.
44 School Street, Suite 325
Boston, MA 02108

Re: Cambridge City Council Subpoena

To Whom It May Concern:

Enclosed please find a Subpoena Duces Tecum issued by the Cambridge City Council.

Please contact me with any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "Nancy E. Glowa", is written over a horizontal line.

Nancy E. Glowa

NEG:als

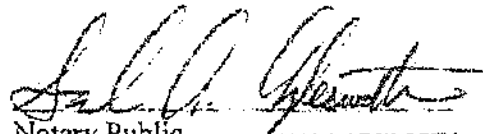
SUBPOENA DUCES TECUM

TO: Keeper of Records
Lyft, Inc.
c/o Incorporating Services, Ltd.
44 School Street, Suite 325
Boston, MA 02108

YOU ARE HEREBY COMMANDED IN THE NAME OF THE CITY COUNCIL OF CAMBRIDGE, MASSACHUSETTS pursuant to Massachusetts General Laws Chapter 233, Section 8 to appear and give testimony at the meeting of the Cambridge City Council, at 795 Massachusetts Avenue, Sullivan Chamber, Cambridge, MA within and for the County of Middlesex, on November 9, 2015 at 5:30 p.m., upon oral examination at the instance of the Cambridge City Council, and from day to day thereafter as directed by the Cambridge City Council, until the City Council has completed its inquiry. You are required to bring with you the documents listed on the attached Exhibit A. If you wish to produce the listed documents instead of appearing on November 9, 2015 for oral testimony, you may do so by submitting the documents to the Cambridge City Solicitor, 795 Massachusetts Avenue, Cambridge, MA 02139 so they are received no later than 5 p.m. on November 4, 2015.

**FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A
SUBPOENA SERVED UPON HIM/HER MAY RESULT IN COURT ACTION.**

Dated: 10/30/15


Notary Public
SAMUEL ADAMS AYLESWORTH
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My commission expires June 18, 2017

Cambridge City Council

By: 

Nancy E. Glowa, City Solicitor
795 Massachusetts Avenue
Cambridge, MA 02139
(617) 349-4121

SCHEDULE A

1. All documents relating to, concerning, or constituting insurance policies covering Lyft, Inc.'s drivers, vehicles, and/or passengers.